

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 04-11010

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT
APRIL 20, 2005
THOMAS K. KAHN
CLERK

D. C. Docket No. 03-00147-CR-S-M

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

JOHN DAVID FLOYD,

Defendant-Appellant.

Appeal from the United States District Court
for the Northern District of Alabama

(April 20, 2005)

Before EDMONDSON, Chief Judge, DUBINA and HULL, Circuit Judges.

PER CURIAM:

BACKGROUND

John Floyd was charged with five counts of witness tampering in violation of 18 U.S.C. § 1512(b)(1). He was acquitted of Count 1, but a jury found him guilty of the other charges. The Court entered a judgment consistent with the jury verdict. Floyd now appeals on various grounds.

DISCUSSION

Floyd raises the following issues on appeal: (1) whether the Government failed to present sufficient evidence to support his conviction; (2) whether the district court erred in its instructions to the jury on the elements of the offense, the safe harbor defense, and the meaning of “corruptly persuades” under 18 U.S.C. § 1512(b); (3) whether the district court erred in denying his motion in limine

requesting the redaction of portions of his taped conversations referring to race; (4) whether the district court erred in denying his motion for a new trial on grounds the Government's delayed disclosure of information pertaining to a witness violated Giglio v. United States, 92 S.Ct. 763 (1972); (5) whether he is entitled to a new trial because of cumulative error; and (6) whether the district court erred in applying the abuse of trust enhancement.

After a review of the record and consideration of Floyd's arguments, we conclude that no reversible error has been presented and affirm the district court's judgment.

AFFIRMED.